



ENVIRONMENTAL SERVICES DEPARTMENT  
Air Quality Division  
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## NOTICE OF PUBLIC WORKSHOPS / HEARINGS Second Quarter 2000

Maricopa County Environmental Services Department, Air Quality Division, will conduct Public Workshops and Public Hearings regarding the Maricopa County Air Pollution Control Regulations according to the schedule provided in this notice. If the information in this notice changes, the change(s) will be announced on the Internet (at the web site address listed below) and on Maricopa County's Workshop Update Line (listed below).

All **Workshops** will be held at 1001 North Central Avenue, Phoenix, Arizona, **Room 560** unless otherwise noted. Draft rules may be picked up at 1001 North Central Avenue, **Suite #201**, Phoenix, Arizona, or on the web at <http://www.maricopa.gov/sbeap/wkshops.htm>.

For current information on workshop times and locations, call our Workshop Update Line at **(602) 506-0169**. For questions or additional information, call the contact person listed or **(602) 506-6794**.

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**Public Hearings** are held at: Maricopa County Board of Supervisors' Auditorium  
205 West Jefferson Street, Phoenix, Arizona

For rules going to public hearing, a summary of the proposed action, a summary of comments and departmental responses and a demonstration of compliance with A.R.S. 49 Subpart 112 A or 112 B will be available along with the draft rules at 1001 North Central Avenue, **Suite #201**, Phoenix, Arizona.

**Rules are effective as of the date of approval by the Board of Supervisors unless an effective date for certain revisions is otherwise noted within the text of the rule.**

A sign language interpreter, alternative form materials, or infrared assistive listening devices will be made available at the Public Workshops and Hearings upon request with 72 hours notice. Additional reasonable accommodations will be made available to the extent possible within the time frame of the request. Requests should be made to (602) 506-6794.

### Maricopa County Air Quality Division Rule Writer Contacts:

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**April - June 2000**

**PUBLIC WORKSHOPS**

<b>RULE/TITLE</b>	<b>DRAFT AVAILABLE</b>	<b>WORKSHOP DATE</b>	<b>TIME</b>	<b>COMMENTS DUE</b>	<b>CONTACT</b>
280, Fees	3/17/00	3/29/00	1:00 PM	4/14/00	Crumbaker
311, Particulate Matter From Process Industries	5/18/00	6/1/00	9:00 AM	6/16/00	Nelson
320, Odors and Gaseous Air Contaminants	5/18/00	6/1/00	9:00 AM	6/16/00	Nelson
210, Title V Permit Provisions	6/1/00	6/15/00	9:00 AM	6/30/00	Kuspert
240, Permits For New Major Sources And Major Modifications To Existing Major Sources	6/1/00	6/15/00	10:00 AM	6/30/00	Kuspert
300, Visible Emissions	6/1/00	6/15/00	1:00 PM	6/30/00	Kuspert

**PUBLIC HEARINGS**

<b>RULE/TITLE</b>	<b>FINAL DRAFT AVAILABLE</b>	<b>HEARING DATE</b>	<b>CONTACT</b>
100, General Provisions And Definitions	3/31/00	5/3/00	Kuspert
130, Emergency Provisions (New)	3/31/00	5/3/00	Kuspert
140, Excess Emissions Due To Malfunction, Startup, Shutdown, And Scheduled Maintenance (New)	3/31/00	5/3/00	Kuspert
201, Emissions Caps (New)	3/31/00	5/3/00	Kuspert
220, Non-Title V Permit Provisions	3/31/00	5/3/00	Kuspert
500, Attainment Area Classification	3/31/00	5/3/00	Kuspert
Appendix D, List of Insignificant Activities (New)	3/31/00	5/3/00	Kuspert
Appendix E, List of Trivial Activities (New)	3/31/00	5/3/00	Kuspert

**NOTE: All Public Hearings are tentative until set by the Board of Supervisors. Call 602-506-0169 or go to [www.maricopa.gov/sbeap/wkshops.htm](http://www.maricopa.gov/sbeap/wkshops.htm) to confirm.**

## **REVISIONS TO BE DISCUSSED AT PUBLIC WORKSHOPS:**

### **Rule 280 (Fees)**

The Department is scheduling a fourth workshop on Phase Two of the Air Quality Program's Workload Analysis and proposed fee revisions. Phase One of the workload analysis, which was completed last August, addressed programs that were specific to Maricopa County's nonattainment area requirements. The second phase of Maricopa County's fee revisions will address fees for Title V and Non-Title V (except for Stage I Vapor Recovery) sources, which have not been increased since 1993. The Department is proposing to increase these fees to be approximately equal to or less than the fee or costs of obtaining similar permits from the Arizona Department Of Environmental Quality (ADEQ). As a result of comments received to date, the Department has prepared a proposal keeping the flat fee tiered structure, but adding a third tier of sources listed as Table C. The Department will also propose to increase the emission fee to be identical to the ADEQ emissions fee.

In addition, the annual inspection and processing fee will be combined with the permit review fee (due once every five years for permit renewal) such that the permitted source will pay the same fee every year. This system would replace the current system that assesses the annual fee each year and, in the fifth year, assesses both the annual fee and the permit review fee. Maricopa County has also issued three general permits and calculated source specific fees due to differences planned in annual inspection frequency. Two of the categories of general permits apply to source categories required to implement rules contained in the ozone State Implementation Plan (SIP) for Maricopa County. The fees for the Stage I Vapor Recovery Program are proposed to increase again to reflect the updated program costs and indirect costs calculated from the recently completed workload analysis.

### **Rule 311 (Particulate Matter From Process Industries)**

Rule 311 is being revised to clarify the applicability section and to revise emission limitations for large fuel burning facilities to implement best available control technology for major sources, as required by the Clean Air Act for Serious Particulate Matter Nonattainment Areas. The rule currently applies to any operation that emits particulate matter into the ambient air that is not subject to Rule 316, which applies to Nonmetallic Mineral Mining and Processing. The applicability section will be clarified to cover all sources that are subject to standards listed in the rule.

### **Rule 320 (Odors and Gaseous Air Contaminants)**

Maricopa County will discuss more proposed revisions to Rule 320 and will hold a third workshop on June 1<sup>st</sup>. The major issues are the sulfur limits in fuel and the carbon monoxide issues.

### **Rule 210 (Title V Permit Provisions)**

The Arizona Department Of Environmental Quality (ADEQ) is proposing revisions to its Compliance Assurance Monitoring (CAM)/Major Source rule. ADEQ is proposing to incorporate 40 Code Of Federal Regulations (CFR) 64 (the Federal CAM rules) into Arizona air quality rules. In addition, ADEQ is proposing to clarify existing language concerning significant revisions for Title V sources, so that CAM will be implemented the same way in Arizona as in the rest of the country, and is proposing to modify the definition of major source to ensure continued approvability of Arizona's air permitting rules under Part 70. Maricopa County is proposing to revise Rule 210, to match ADEQ's CAM/Major Source rule. Maricopa County discussed these changes during a Public Workshop on December 16, 1999 and will conduct another Public Workshop on June 15, 2000.

### **Rule 240 (Permits For New Major Sources And Major Modifications To Existing Major Sources)**

The Arizona Department Of Environmental Quality (ADEQ) revised Title 18 (Environmental Quality), Chapter 2 (Department Of Environmental Quality-Air Pollution Control), Article 4 (Permit Requirements For New Major Sources And Major Modifications To Existing Major Sources) to address the requirements imposed by the Environmental Protection Agency's (EPA's) reclassifying Phoenix as a serious ozone nonattainment area and to address EPA's written comments dated July 10, 1998, regarding the New Source Review/Prevention Of Significant Deterioration (NSR/PSD) Permit Rules.

ADEQ modified the definition of major source, such that changes at minor sources in the Phoenix ozone nonattainment area, in addition to increasing emissions above the major source threshold, would have to be significant in order for the change to subject the source to NSR. The change makes ADEQ's rule more closely parallel to the Federal NSR program for serious and severe ozone nonattainment areas. The major source threshold for volatile organic compound (VOC) sources in the Phoenix ozone nonattainment area was automatically reduced from 100 tons to 50 tons on December 8, 1997, when the area was reclassified from moderate to serious.

ADEQ removed the requirement that creditable emission decreases must be simultaneous to the modification. This change is consistent with the current Federal 5-year contemporaneous period, which takes into account changes over a 5-year

period when considering increases and decreases for netting (i.e., when adding-up emission increases and decreases to determine whether the net emission increase is 25 tons (significant)). This change also encourages sources to make facility changes that decrease emissions earlier than they would otherwise, because the decrease will count against emission increases for five years, not only when simultaneous with the change.

In addition, ADEQ added a de minimis or trivial increase/decrease level for aggregation purposes. For discussion and comment in May 1998, ADEQ proposed a range of levels: 1 ton, 2 tons, and 3 tons. After further discussion and comment and based on action taken on other State rules, ADEQ decided that only the 1 ton level would be approvable by EPA.

Maricopa County is proposing to revise Rule 240 to match ADEQ's changes to New Source Review (NSR) regulations in Title 18 (Environmental Quality), Chapter 2 (Department Of Environmental Quality-Air Pollution Control), Article 4 (Permit Requirements For New Major Sources And Major Modifications To Existing Major Sources) and to address EPA's written comments dated July 10, 1998, regarding the New Source Review/Prevention Of Significant Deterioration (NSR/PSD) Permit Rules. Maricopa County discussed these changes during a Public Workshop on December 16, 1999 and will conduct another Public Workshop on June 15, 2000.

#### **Rule 300 (Visible Emissions)**

Maricopa County is proposing to revise Rule 300, to correct deficiencies in its Title V Permit Program regarding excess emissions. Maricopa County discussed these changes during a Public Workshop on December 16, 1999 and will conduct another Public Workshop on June 15, 2000.

### **REVISIONS TO BE DISCUSSED AT PUBLIC HEARING:**

#### **Rules 100 (General Provisions and Definitions), 220 (Non-Title V Permit Provisions), New Rule 201 (Emissions Caps), New Appendix D (List Of Insignificant Activities), and New Appendix E (List Of Trivial Activities)**

This rulemaking package is called the Facility Change Rulemaking Package; It corresponds with the Arizona Department Of Environmental Quality's (ADEQ's) proposed Facility Change rules draft June 11, 1999.

On September 3, 1998, October 29, 1998, December 17, 1998, June 17, 1999, and December 16, 1999, Maricopa County conducted Public Workshops to discuss proposed revisions to Rules 100 and 220, new Rule 201, new Appendix D (List Of Insignificant Activities), and new Appendix E (List Of Trivial Activities). Maricopa County will further discuss these changes during the Public Hearing scheduled for May 3, 2000.

#### **Rules 100 (General Provisions and Definitions) and 500 (Attainment Area Classification)**

Maricopa County is proposing to revise Rules 100 and 500, to address the EPA's written comments dated July 10, 1998 regarding the New Source Review/Prevention Of Significant Deterioration (NSR/PSD) Permit Rules. Maricopa County conducted a Public Workshop on December 16, 1999 and will further discuss these changes during the Public Hearing scheduled for May 3, 2000.

#### **Rule 100 (General Provisions And Definitions), New Rule 130 (Emergency Provisions), and New Rule 140 (Excess Emissions Due To Malfunctions, Startup, Shutdown, and Scheduled Maintenance)**

This rulemaking package is called the Excess Emissions Rulemaking Package. Maricopa County is proposing to delete Section 501 (Emergency Provision) and Section 502 (Excess Emissions) from Rule 100 and is proposing to write each section as an individual rule; Rule 100, Section 501 will become New Rule 130 (Emergency Provisions), and Rule 100, Section 502 will become New Rule 140 (Excess Emissions Due To Malfunctions, Startup, Shutdown, And Scheduled Maintenance). Maricopa County conducted a Public Workshop on December 16, 1999 and will further discuss these changes during the Public Hearing scheduled for May 3, 2000.